



County of Los Angeles
CHIEF ADMINISTRATIVE OFFICE

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DAVID E. JANSSEN
Chief Administrative Officer

January 10, 2006

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

Board of Supervisors
GLORIA MOLINA
First District

YVONNE B. BURKE
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

**APPOINTMENT OF EMPLOYEE RELATIONS COMMISSIONERS
(3-VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD:

Approve the amendment to the Employee Relations Ordinance (County Code Chapter 5.04) to permit your Board, to waive the residency requirement for Commissioners; waive length of service limitations to allow Commissioners Joseph Gentile and Arthur Hernandez to serve more than two consecutive terms; waive the residency requirements for Commissioners Joseph Gentile and Arthur Hernandez; amend the term Commissioners serve at the pleasure of the Board from 4 to 3 years; repeal obsolete provisions, and re-appoint Commissioners Joseph Gentile, Arthur Hernandez and Edna Francis to staggered terms as set forth in this letter.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The recommendations provide for the re-appointment of Commission members to the Employee Relations Commission (ERCOM) to staggered terms so that the Commission can continue to carryout its function of administering the provisions of the County Employee Relations Program.

Implementation of Strategic Plan Goals

The recommended actions support the County's Strategic Plan Goal of Organizational Effectiveness and Workforce Excellence by enabling ERCOM to continue to administer the Employee Relations Ordinance and to carry out the County's public policy of promoting the improvement of personnel management and relations between the County of Los Angeles and its employees and to protect the public by assuring, at all times, the orderly and uninterrupted operations and services of County government.

FISCAL IMPACT/FINANCING

None.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Commission Chair Joseph Gentile and Commissioner Dr. Arthur Hernandez have recently moved to a neighboring county. County Code provision 5.04.100 (B) provides that members of the Commission have expertise in the field of employee relations, ***shall reside in the County of Los Angeles***, and shall possess the integrity and impartiality necessary to protect the public interest as well as the county and its employees. The amendment to 5.04.100 (B) would permit the Board, if it finds that the best interests of the County will be served, to waive the residency requirement.

It is also timely to re-appoint members to the Employee Relations Commission. The terms of service for all three (3) Commission members have lapsed. Commission Chair Joseph Gentile and Commissioner Hernandez have served more than two consecutive full periods of service. Commissioner Francis has completed one full term of service but has not been re-appointed to a second term. Pursuant to County Code provision 5.04.110 (B), the Board by order, can extend the length of service requirement, or waive this limit for individuals, or the Commission as a whole.

In addition, since the terms of service for all Commissioners have lapsed, Section 5.04.130 of the County Code requires that the Chief Administrative Officer, the Coalition of County Unions and SEIU Local 660 jointly develop a list of nine highly qualified labor relations practitioners to fill three vacancies on the Commission. The nine nominees are:

Joseph Gentile	Bob Bergeson	Doug Collins
Edna Francis	Victor Manriquez	Michael Prihar
Arthur Hernandez	Walt Daugherty	Tony Butka

After evaluation and review of all the qualified nominees, we recommend that re-appointment of Commissioners Joseph Gentile, Arthur Hernandez and Edna Francis to be in the best interests of the County's employee relations program, including the waiving of the residency requirement and consecutive term limit in the re-appointment of the Commissioners Joseph Gentile and Arthur Hernandez. SEIU Local 660 and the Coalition of County Unions concur in the recommendation for re-appointment of the Commissioners and amendment to County Code 5.04.100 (B).

We also recommend that the Board amend the term that commissioners serve on the Board from four to three years (Section 5.104.160 (A)) and maintain the staggering of the terms of service not to exceed three years (County Code 5.04.130 (E)) for each respective Commission member in order to preserve the continuity and stability of the Commission:

<u>Seat</u>	<u>Commissioner Term of Service</u>	<u>Nominee</u>
A	January 1, 2006 to November 2006	Joseph Gentile
B	January 1, 2006 to November 2007	Arthur Hernandez
C	January 1, 2006 to November 2008	Edna Francis

IMPACT ON CURRENT SERVICES

None.

CONCLUSION

The accompanying amendment to County Code Section 5.04.100 (B & C), 5.04.110 (A) and 5.04.130 (E) has been approved as to form by the Office of the County Counsel.

Respectively submitted,



DAVID E. JANSSEN
Chief Administrative Officer

DEJ:JA
DLW:mj

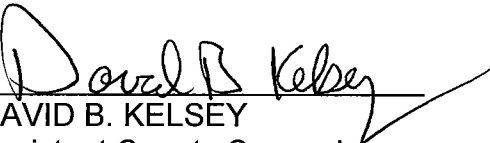
Attachments

c: County Counsel
Auditor-Controller
Executive Officer, Board of Supervisor
Coalition of County Unions
SEIU Local 660

ANALYSIS

This ordinance amends Title 5 - Personnel, of the Los Angeles County Code, relating to the appointment of commission members to the Employee Relations Commission by waiving the residency requirements for Commissioners, and by providing for appointment of commission members to staggered terms not to exceed three years.

RAYMOND G. FORTNER, JR.
County Counsel

By 
DAVID B. KELSEY
Assistant County Counsel
Labor & Employment Division

LJT:mag
(request 12/07/05)
(revised 12/13/05)

ORDINANCE NO. _____

An ordinance amending Title 5 - Personnel of the Los Angeles County Code, relating to the appointment of Commission members to the Employee Relations Commission by waiving the residency requirements for commissioners.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 5.04.100 is hereby amended to read as follows:

5.04.100 Employee relations commission -- Continued -- Membership qualifications.

A. There is continued a Los Angeles County employee relations commission, which shall implement and administer the provisions of this chapter.

B. The commission shall have three positions. A member of the commission shall be appointed to a vacant position by, and serve at the pleasure of, the board of supervisors, which shall be referred to in this chapter as the "board." The members of the commission shall have expertise in the field of employee relations, shall reside in Los Angeles County and shall possess the integrity and impartiality necessary to protect the public interest as well as the interest of the county and its employees. The board of supervisors, if it finds that the best interests of the county will be served, may waive the residency requirement.

~~C. Each person who is a member of the commission on the effective date of this amendment shall serve at the pleasure of the board for the remainder of his or her term of three years~~

SECTION 2. Section 5.04.110 is hereby amended to read as follows:

5.04.110 Employee relations commission -- Length of service -- Vacancy.

The provisions of this section shall become applicable to a position on the commission at the expiration of the term of the member occupying that position on the effective date of this amendment.

A. Each member of the commission shall serve at the pleasure of the board. The period of service for each position on the commission shall be ~~four~~three years from the date this amendment becomes applicable to each position.

. . .

SECTION 3. Section 5.04.130 is hereby amended to read as follows:

5.04.130 Employee relations commission -- Appointment of members.

. . .

E. In the event the board of supervisors is appointing more than one commissioner at a time, notwithstanding the provisions of section 5.04.110A, such appointments shall be for different periods of time in order to maintain the staggering of terms designed to preserve the commission's continuity;

. . .